

RÉSUMÉ DIGEST

Act 265 (HB 125)

2018 Regular Session

Jefferson

Existing law provides for the determination of final periodic support when a spouse is not at fault and is in need of support.

New law adds a presumption of entitlement to support if the divorce is granted on fault-based grounds or the court finds that a party or a child of one of the spouses is a victim of domestic abuse.

Prior law provided for an award of interim spousal support and provides for termination six months after the judgment of divorce if a party is a victim of domestic abuse. New law provides for the termination of interim spousal support six months after the judgment of divorce in all cases.

Existing law provides for the modification and termination of an award of support. New law clarifies that both interim and final support awards may be modified and terminated.

Existing law provides for the extinguishment of the obligation of spousal support upon remarriage, death, or cohabitation. New law clarifies that both interim and final support awards may be extinguished for those reasons.

Prior law provided that the failure to bring an action for divorce or support under domestic abuse grounds does not affect the rights of parties to seek other remedies provided by law. New law repeals prior law.

Effective August 1, 2018.

(Amends C.C. Arts. 103(5), 112, 113, 114, and 115; Repeals C.C. Art. 118)